

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Applicant: Richard J. Melker et al.

Examiner: Lance W. Rider

Serial No.: 10/588,749

Art Unit: 1631

Filed: May 14, 2007

Confirmation No. 4512

**For: SYSTEM AND METHOD
FOR REAL-TIME DIAGNOSIS,
TREATMENT, AND
THERAPEUTIC DRUG MONITORING**

Commissioner for Patents
P. O. Box 1451
Alexandria, VA 22313-1451

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is in response to the Restriction Requirement mailed in the subject application on 20 November 2009. This is a timely response to the restriction requirement.

The claims pending in this application are claims 57-87, drawn to methods for monitoring drug administration using breath sensors; and claims 88-90, drawn to a drug delivery and monitoring system.

We hereby elect Group I, claims 57-87, for further prosecution in this application.

In addition, a requirement has been made that the Applicant elect a species for initial examination and that all claims reading thereon.

We hereby elect, for purposes of initial examination, wherein the disease condition is epilepsy. The claims which are generic to and which read on this elected species are claims 57-67, and 70-85.

Upon allowance of the claims drawn to the elected species, it is anticipated that the examination with then be extended to all other species and the full scope of the generic claims.

Respectfully submitted,

/Timothy H. Van Dyke/

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